

SN. 10/601,685

ATTORNEY DOCKET NO. KASA:026

REMARKS

Claims 1-13 are now pending in this application for which applicants seek reconsideration.

Amendment

Claims 1 and 4-8 have been amended to improve their form and readability. Specifically, independent claims 1, 4, 7, and 8 now positively define the continuous saw body as having an inner side and an outer side, with the continuous saw body suspended between a pair of spaced pulleys, with the inner side facing the pulleys. Since this is how a conventional continuous saw body is arranged, applicants submit that this aspect of the amendment does not narrow the scope of the present claims since it is merely amplifying how the continuous saw body is mounted during use.

In claim 7, the step of shaping the teeth has been deleted to broaden its scope. In claim 8, the bending and setting steps have been positively recited as two separate steps. In this respect, new claims 9-13 have been added to further define the present invention.

No new matter has been introduced.

Restriction - Rejoinder of Non-Elected Claims

Claims 4-8 were withdrawn as directed to the non-elected inventions. Specifically, the method and band saw processing claims have been restricted from the saw blade claims. But since each of the non-elected independent claims incorporates all of the saw blade features set forth in claim 1 (elected independent claim), when claim 1 is allowed, all of the non-elected claims MUST be allowed together. Accordingly, applicants request that the examiner rejoin all of the non-elected claims when claim 1 is allowed.

Art Rejection

Claims 1-3 were rejected under 35 U.S.C. § 103(a) as unpatentable over admitted prior art, such as Nakahara (USP 5,094,135), in view of Biedermann (USP 1,494,576). Claims 1-3

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also were rejected under 35 U.S.C. § 103(a) as unpatentable over admitted prior art, such as Nakahara, in view of Waggerman (USP 5,317,945). Applicant traverses these rejections because none of the applied references would have taught a band saw with the entire edge portion with the teeth bent near the tooth base line of the saw body so that the entire saw teeth are angled toward the inner side, as set forth in claim 1.

Claim 1 now positively recites the structure of a band saw, i.e., as having an outer side and an inner side, with the inner side facing a pair of spaced pulleys. It also defines multiple saw teeth provided entirely on one edge portion of said saw body, with the one edge portion angled relative to a major portion of the saw body near a tooth base line thereof so that the entire saw teeth are angled toward the inner side.

Biedermann merely teaches offsetting every other teeth to one side, and would not have taught angling the entire one edge portion where the teeth are formed toward one side. Waggermann, on the other hand, discloses a circular saw blade. First, applicants submit that there would not have been any motivation for the band saw to adopt the circular saw blade construction set forth in Waggermann. Second, even if Waggermann were properly combinable with the admitted prior art for argument's sake, the combination would not have taught angling the one edge portion near the tooth base line, let alone angling toward the inner side facing the pulleys. Indeed, Waggermann clearly teaches bending the saw body about a mid body portion 18, and would not have taught bending the entire edge portion toward the inner side facing the pulleys.

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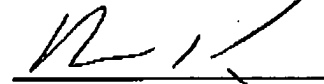
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Conclusion

Applicant submits that claims 1-13 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Date: 11/04/03

Respectfully submitted,



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